THE HON. DR. T. S. S. RAJAN :—" That will certainly be considered when the term of Mr. Karayalar is over."

MR. CHAIRMAN :—" And perhaps most of us will not be here in the Council then."

IV.—ELECTION OF A MEMBER TO THE MADRAS PROVINCIAL LIBRARY COMMITTEE.

THE HON. SRI K. MADHAVA MENON :—" Mr. Chairman, Sir, I move—

'*That in pursuance of rule* 2 (1)(v) *of the Madras Public Libraries Rules,* 1950, *this Council do proceed on a date to be fixed by the Hon. the Chairman to elect one person to the Provincial Library Committee constituted under section* 3 *of the Madras Public Libraries Act,* 1948 (*Madras Act XXIV of* 1948) '."

MR. CHAIRMAN :—" The question is—

'That in pursuance of rule 2 (1) (v) of the Madras Public Libraries Rules, 1950, this Council do proceed on a date to be fixed by the Hon. the Chairman to elect one person to the Provincial Library Committee constituted under section 3 of the Madras Public Libraries Act, 1948 (Madras Act XXIV of 1948) '."

The motion was carried.

MR. CHAIRMAN :—" With reference to the motion of the Hon. Minister for Education and Law regarding the election of one Member of this Council to the Provincial Library Committee, I am to state that the nomination should be handed over to the Secretary before 12 noon on Tuesday, the 8th August 1950. The nomination forms can be obtained from the Secretary.

" There will be an election, between 3 and 5 p.m. on the same day, if the number of candidates nominated exceeds one. The election will be by the ordinary method and not according to the method of single transferable vote."

V.—GOVERNMENT BILLS.

(1) THE MADRAS WEIGHTS AND MEASURES (AMENDMENT) BILL [a], 1950 (L.A. BILL NO. 13 OF 1950).

* THE HON. SRI A. B. SHETTY :—" Mr. Chairman, Sir, I move—

'*That the Madras Weights and Measures (Amendment) Bill,* 1950, *as passed by the Assembly, be taken into consideration.*'

" The need for this amending Bill has been explained in the Statement of Objects and Reasons. The Southern India Chamber of Commerce has represented to the Government that the entire

[a] Printed as Appendix I on page 159 infra.

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business in gold and silver in South India is done only in 'Pagoda' weights and that great hardship would be caused to the jewellery trade in this part of the country on account of the non-inclusion of the 'Pagoda' weight in the schedule to the Madras Weights and Measures Act, 1948. The Chamber has requested that the Madras Act should be amended so as to include the 'Pagoda' as a recognized weight. But this cannot be done. The establishment of standards of weight and measure is a subject in the Union list. The standard weights specified in the Standards of Weight Act, 1939 of the Central Government and their integral multiples or sub-multiples alone can be recognized weights for the purposes of the Madras Act. Pagoda cannot be regarded as a standard weight as it is not an integral multiple or sub-multiple of any of the standard weights mentioned in the Central Act. It is considered desirable to allow some time for the trade to change over to the new weights in Tola. This Bill, therefore, seeks to amend sections 8, 9 and 20 of the 1948 Act with a view to exempt the use of the Pagoda weight from the penal provisions of the Act for a period of two years from the date of notification of the enforcement of the 1948 Act."

MR. CHAIRMAN :—" The motion is—

'That the Madras Weights and Measures (Amendment) Bill, 1950 (L.A. Bill No. 13 of 1950), as passed by the Assembly, be taken into consideration'." 11-30 a.m.

* SRI R. SURYANARAYANA RAO :—" Mr. Chairman, Sir, I do not understand why the Hon. Minister for Agriculture thinks that we have no power to effect the change requested by the South Indian Chamber of Commerce. Sir, we are now amending the Madras Weights and Measures Act, and so, cannot we have the power to effect the change that is asked for? That is my point. Sir, I looked into the lists in the Constitution Act. It is true, Sir, in the Union List, No. 50 is Establishment of standards of weights and measures. But, Sir, there is also in the State List No. 29. Weights and measures except establishment of standards. I am not aware why we cannot accept the request of the South Indian Chamber of Commerce for the amendment of the Madras Weights and Measures Act and introduce the local weight that is being used in the State. How we will be violating the powers of the Union Government I am not able to understand. In that case, Sir, the whole of the Madras Weights and Measures Act becomes null and void."

THE HON. SRI K. MADHAVA MENON :—" My friend, Mr. Suryanarayana Rao is under a misapprehension. There is already an Act passed by the Central Legislature called Standard of Weights and Measures Act, in which the Central Government have fixed certain weights and measures. Of course the Local Government have power to regulate the weights and measures; but they have to use the standards fixed in the Central Act, and they have no power to give exemption with regard to certain weights and

measures. And that is why the Hon. Minister for Agriculture has said that the request of the South Indian Chamber of Commerce cannot be conceded."

* Sri R. SURYANARAYANA RAO :—" If perhaps the Local Government think that they have no power or are not competent to make this change, may I ask them why they give only two years' time? Is it their intention to approach the Government of India to recognize this pagoda as a weight to be included in their Act? "

Mr. CHAIRMAN :—" I do not think it is the idea of the South Indian Chamber of Commerce to make the pagoda a weight. They want only the pagoda to be continued as a weight in Madras."

The Hon. Sri K. MADHAVA MENON :—" It is not a standard weight. We can only have a weight as a standard that is mentioned in the Central Act."

Mr. CHAIRMAN :—" But we have been accustomed to a weight for a long time. So that too can be equally a standard weight. What is the objection? "

The Hon. Sri K. MADHAVA MENON :—" No transaction can be done except according to the standard weight mentioned in the Central Act."

* Sri R. SURYANARAYANA RAO :—" May I ask, Sir, is it the intention of the Madras Government to approach the Central Government to make a change in their Act, or is it their idea that within two years, our province must get used to the standard weight mentioned in the Central Act. Sir, for centuries, pagoda has been used as a weight in the case of bullion, and so, how is it possible within two years for people to switch over. I am sure the South Indian Chamber of Commerce will not be satisfied with this two years' limit. I would like pagoda to be recognized as a permanent weight in regard to dealings in silver and gold. I do not know whether this organization representing trade and commerce were invited to express their opinion on this two years' limit whether they will be satisfied with it for the time being. I wish Government—I thank the Hon. Minister for Law for having explained to us the legal position in the matter—assure this House that they intend approaching the Central Government to include pagoda as a standard weight."

* The Hon. Sri A. B. SHETTY :—" The Government of India have already been requested to take steps to recognise pagoda as a standard weight, but they are not inclined to accept the proposal. So far as the period allowed to give exemption to the use of pagoda is concerned, it was first proposed to give a period of five years, but then it was considered that two years would be sufficient for the trade to change over to the new weight. That is why two years' period has been fixed. Sir, I have already explained why it is not possible for us to make pagoda a recognized

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weight; for, the establishment of standard weight and measure is a matter for the Central Government. So I hope this House will accept the amendments proposed in the Bill."

MR. CHAIRMAN :—" Has the Hon. Minister for Agriculture got a copy of the Weights and Measures Act with him."

THE HON. SRI A. B. SHETTY :—" Yes."

MR. CHAIRMAN :—" May I request him to read section 8? "

THE HON. SRI A. B. SHETTY :—" 8. If an Inspector has reason to believe that any weight or measure—

(a) is not a recognised weight or measure which has been stamped as required by section 5, or

(b) is a recognised weight or measure which is incorrect, the Inspector shall seize it and produce it before a Magistrate who shall, if he finds that the weight or measure is not a recognised weight or measure or that it is incorrect, order it to be forfeited to His Majesty or destroyed."

MR. CHAIRMAN :—" Is a recognized weight defined? "

THE HON. SRI A. B. SHETTY :—" The weights are given in the schedule."

THE HON. SRI K. MADHAVA MENON :—" Recognized weight is the weight mentioned in the Standard Weights and Measures Act."

MR. CHAIRMAN :—" Yes, that is what I want to know."

THE HON. SRI K. MADHAVA MENON :—" Section 2 (3) defines what a recognized weight or measure is, and what those recognized weights and measures are is given in section 3."

MR. CHAIRMAN :—" Yes, that is alright. The question is—

' That the Madras Weights and Measures (Amendment) Bill, 1950 (L.A. Bill No. 13 of 1950), as passed by the Assembly, be taken into consideration '."

The motion was carried.

Clause 2 was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. SRI A. B. SHETTY :—" Sir, I move—

' That the Madras Weights and Measures (Amendment) Bill, 1950 (L.A. Bill No. 13 of 1950), as passed by the Assembly, be passed into law '."

The motion was put and carried and the Bill was passed into law.

(2) THE DANGEROUS DRUGS (MADRAS AMENDMENT) BILL[a], 1950 (L.A. BILL NO. 14 OF 1950).

THE HON. SRI N. SANJEEVA REDDI :—" Mr. Chairman, Sir, I beg to move—

' *That the Dangerous Drugs (Madras Amendment) Bill*, 1950 (*L.A. Bill No.* 14 *of* 1950), *as passed by the Assembly, be taken into consideration.*'

" Sir, this is a very simple amendment, which authorises the Prohibition Department authorities to investigate into offences under this Act. Hitherto they had the authority as excise officers. But now, their name is changed from Excise to Prohibition Officers. Hence this amending Bill is necessitated."

MR. CHAIRMAN :—" The question is—

' That the Dangerous Drugs (Madras Amendment) Bill, 1950 (L.A. Bill No. 14 of 1950), as passed by the Assembly, be taken into consideration '."

The motion was carried.

Clause 2 was put and carried.

Clause 1 was put and carried.

The preamble was put and carried.

THE HON. SRI N. SANJEEVA REDDI :—" Sir, I move—

' *That the Dangerous Drugs (Madras Amendment) Bill*, 1950 (*L.A. Bill No.* 14 *of* 1950), *as passed by the Assembly, be passed into law* '."

The motion was put and carried and the Bill was passed into law.

(3) THE ANDHRA UNIVERSITY (AMENDMENT) BILL [b], 1950 (L.A. BILL NO. 16 OF 1950).

THE HON. SRI K. MADHAVA MENON :—" Mr. Chairman, Sir, I beg to move—

' *That the Andhra University (Amendment) Bill*, 1950 (*L.A. Bill No.* 16 *of* 1950), *as passed by the Assembly be taken into consideration.*'

" Sir, the Maharaja of Jeypore, who was the most munificent donor for that University, as pro-Chancellor, had the right to nominate one member to the Syndicate. In 1944, as he promised to contribute one lakh of rupees every year, in view of his munificent donation, the Senate unanimously recommended to Government that the Maharajah may be allowed to nominate two members to the Syndicate instead of one. So during the Advisers' regime, in 1944, an Act was passed which enabled him to nominate two

a Printed as Appendix II on pages 159 infra.

b Printed as Appendix III on page 160 infra.